

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

**NAPLETON 1050, INC. D/B/A NAPLETON
CADILLAC OF LIBERTYVILLE**

and

**INTERNATIONAL ASSOCIATION OF
MACHINISTS & AEROSPACE WORKERS, AFL-
CIO**

**Cases 13-CA-187272
13-CA-196991
13-CA-204377**

and

WILLIAM GLEN RUSSELL II, An Individual

**COUNSEL FOR THE GENERAL COUNSEL'S
LIMITED EXCEPTIONS TO THE
ADMINISTRATIVE LAW JUDGE'S DECISION AND ORDER**

On April 4, 2018, Administrative Law Judge David I. Goldman ("ALJ") issued his decision in the above-captioned cases. Pursuant to Section 102.46 of the Board's Rules and Regulations, Counsel for the General Counsel hereby files the following limited exceptions:

1. To the ALJ's decision not to issue a ruling on Respondent's failure to bargain over the layoff of employee David Geisler in violation of Section 8(a)(5) and (1), as alleged in paragraph VIII(c) of the Consolidated Complaint, on the basis that such a ruling was unnecessary in light of his make-whole remedy associated with Mr. Geisler's unlawful layoff. (ALJD 25:12-16)
2. To the ALJ's failure to find that Respondent violated Section 8(a)(5) and (1) when it failed to furnish the Union with information relevant to Mr. Geisler's layoff, as alleged in paragraph VIII(d) of the Consolidated Complaint. (ALJD 25:47-48)
3. To portions of the ALJ's decision mistakenly indicating that Respondent notified the Union of its decision to conduct a layoff on October 24, 2016, rather than October 26, 2016. (ALJD 13:33-34; 22:40-41)
4. To the ALJ's failure to fully remedy Respondent's unlawful acts of ordering its employees to remove their toolboxes from its facility and of removing such toolboxes from its facility by deferring remedial action to the Board. (ALJD 33:11)
5. To the ALJ's inadvertent omission of his specific finding that Respondent's removal of striking employees' toolboxes on August 3, 2016 (in addition to Respondent

ordering the removal), was unlawful in paragraph 6 of his Conclusions of Law, and in his remedial Notice. (ALJD 31:38-42; Appendix)

Respectfully Submitted,

/s/ *Emily O'Neill*

Emily O'Neill

Counsel for the General Counsel

National Labor Relations Board, Region 13

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Dated: May 1, 2018 at Chicago, IL

**AFFIDAVIT OF SERVICE OF: COUNSEL FOR THE GENERAL COUNSEL'S
LIMITED EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE'S DECISION AND
ORDER**

I, the undersigned employee of the National Labor Relations Board, affirm that on May 1, 2018, I served the above-entitled document(s) by **electronic mail**, as noted below, upon the following persons, addressed to them at the following addresses:

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